

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a Korean
business entity; SAMSUNG ELECTRONICS
AMERICA, INC., a New York corporation;
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC, a Delaware limited liability
company,

Defendants.

Misc. Case No. 12MC27

**DECLARATION OF PATRICK
SCHMIDT IN SUPPORT OF
SAMSUNG'S OPPOSITION TO
MICROSOFT'S MOTION TO QUASH
THIRD-PARTY SUBPOENA**

Related to Civil Action 5:11-cv-01846
Pending in United States District Court
for the Northern District of California, San
Jose Division

In Re: Subpoena Issued to Third-Party
Microsoft Corporation

1 I, Patrick Schmidt, declare:

2 1. I am a member of the bar of the State of California. I am an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Samsung Electronics Co., Ltd.; Samsung
4 Electronics America, Inc.; and Samsung Telecommunications America, LLC (collectively
5 "Samsung") in this action. I have personal knowledge of the following facts, and would
6 competently testify to them if called upon to do so.

7 2. Attached hereto as Exhibit A is a true and correct copy of the third-party
8 subpoena served by Samsung on Microsoft Corp. on February 27, 2012.

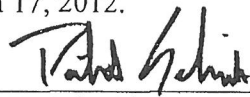
9 3. Attached hereto as Exhibit B is a true and correct copy of United States Patent
10 7,933,632 issued to Flynt et al. and assigned to Microsoft Corp.

11 4. Attached hereto as Exhibit C are true and correct copies of email correspondence
12 between myself and counsel for Microsoft Corp., which were sent for the purpose of meeting
13 and conferring as to the requests contained in the Subpoena at Exhibit A.

14 I declare under penalty of perjury under the laws of the United States that the foregoing
15 is true and correct.

16 Executed in Los Angeles, California on March 17, 2012.

17
18 By


Patrick T. Schmidt

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Dated: March 19, 2012

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ELECTRONICS CO., LTD.; SAMSUNG
ELECTRONICS AMERICA, INC.; and
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC

CERTIFICATE OF SERVICE

I, Mark P. Walters, hereby certify that on March 19, 2012, I caused the foregoing to be served on the following parties by e-mail and/or the Court Electronic Filing System (ECF):

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DATED: March 19, 2012

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